

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-7 are pending in the application. No Claim amendments are presented, thus no new matter is added.

In the outstanding Official Action, Claims 1-7 were rejected under 35 U.S.C. § 102(a) as anticipated by Stetz, in Cell Phone Handbook. Applicant respectfully traverses this rejection.

Amended Claim 1 relates to a device for generating customer identification information for a user, allowing the user to anonymously respond to received content. Specifically, content (e.g. offer information, advertisements, etc.) is sent by a merchant over communication link (e.g. broadcast, internet, etc.), and the content may be in the form of a question intended to elicit a response from a customer who has received the offer. Responding to such an offer typically requires a customer to input and submit personal information (e.g. personal profile) to a server or another device to participate in the received offer. The present inventor, therefore, identified a benefit in automating the transmission of profile information while maintaining a certain level of anonymity to the customer.

Specifically, Claim 1 recites an information processing apparatus that receives content identification information and device identification information from a first information processing apparatus and device identification from a second information processing apparatus. A validity judgment is then formed based on the identification information corresponding to each of the first and second information processing devices. A customer identification information identifying a customer is then assigned to the second information processing apparatus identification information. The customer identification information is

then output as information for receiving a presented content identified by said content identification information.

Turning to the applied reference Stetz provides a high-level functional description of a cellular telephone and corresponding network. In addressing the features recited in independent Claim 1, the outstanding Official Action relies on p. 38-39 of Stetz. The cited portion of Stetz describes that when a cellular telephone is turned on, the phone “tells” its ESN to the carrier which then is able to determine whether the submitted ESN is valid. The Official Action also cites p. 43 of Stetz, which describes how a cellular phone subscriber can determine the cost savings in a monthly plan based on the amount billed and the calling minutes used.

However, Stetz fails to teach or suggest the assignment of customer information, and outputting this information to receive content, as recited in the pending independent claims. Specifically, independent Claim 1 recites, *inter alia*, an information processing apparatus, comprising

“...assigning customer identification information
identifying a customer to said second information processing
apparatus identification information; and
...outputting said customer identification information
assigned by said information assignment means as information for
receiving a presented content identified by said content
identification information.”

Independent Claims 6 and 7 recite substantially similar features, but are directed to alternative embodiments. Accordingly, the arguments presented below apply to each or pending independent Claims 1, 6 and 7.

In addressing the above noted features of Claim 1, the outstanding Official Action asserts that billing information generated as a result of the calling activities of a user corresponds to the assigned “customer information”, as recited in Claim 1.¹ However, it is

¹ Outstanding Official Action, p. 2.

unclear from Stetz's description what "customer information" is assigned to a user, as the cited portion of this reference simply describes a process for determining the per-minute charges based on a monthly access fee. Stetz fails to teach or suggest "assigning customer identification information identifying a customer to said second information processing apparatus identification information", as recited in amended Claim 1.

However, assuming *arguendo* that this calculated billing information does correspond to assigned "customer information", such information is not used as information for receiving content identified by any content information. Instead, billing information is simply generated based on the calling activities of a mobile user, and is not output for receiving any content whatsoever. Thus, Stetz fails to teach or suggest "outputting said customer identification information assigned by said information assignment means as information for receiving a presented content identified by said content identification information", as recited in independent Claim 1.

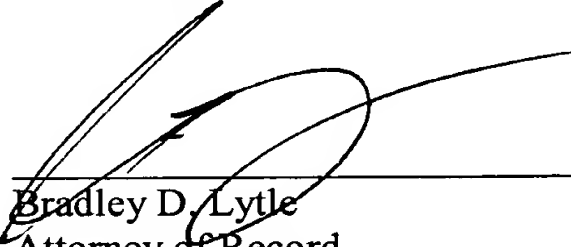
Accordingly, Applicant respectfully requests that the rejection of independent Claim 1 under 35 U.S.C. § 102(a) be withdrawn. For substantially the same reasons as provided with respect to Claim 1, it is also submitted that independent Claims 6 and 7 also patentably define over Stetz.

Should the above distinctions be found unpersuasive, Applicant respectfully requests that the Examiner provide an explanation via Advisory Action pursuant to MPEP § 714.13 specifically rebutting the points raised herein for purposes of facilitating the appeal process.

Consequently, in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-7 is definite and patentably distinguishing over the applied reference. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested

Respectfully submitted,

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